

## U.S. Customs and Border Protection, DHS; Treasury

## § 175.0

Act of 1930, as amended (19 U.S.C. 1514). For purposes of section 515(a), Tariff Act of 1930, as amended (19 U.S.C. 1515(a)), the date appearing on such notice shall be deemed the date on which such notice was mailed.

(b) *Substitution of persons designated to receive notice.* The importer of record or consignee may give notice to the port director instructing that notice of denial of any protest involving merchandise imported in his name or on his behalf shall be mailed to a person other than the person filing such protest or the designee of such person. Such notice of substitution shall be filed in quadruplicate and shall identify the protest by number and date of receipt. Notice of denial of a protest shall be mailed to the substituted person so designated only if the notice of substitution is received by the port director prior to a denial by him of such protest.

(c) *Notification of payment of increased duties.* The port director shall note on the notice of denial of a protest the payment of all liquidated duties, charges, or exactions, if he has actual knowledge of such payment at the time that the protest is denied.

[T.D. 70-181, 35 FR 13429, Aug. 22, 1970, as amended by T.D. 80-271, 45 FR 75642, Nov. 17, 1980]

### § 174.31 Judicial review of denial of protest.

Any person whose protest has been denied, in whole or in part, may contest the denial by filing a civil action in the United States Court of International Trade in accordance with 28 U.S.C. 2632 within 180 days after—

(a) The date of mailing of notice of denial, in whole or in part, of a protest,

(b) The date a protest, for which accelerated disposition was requested, is deemed to have been denied in accordance with § 174.22(d), or

(c) The date that a protest is deemed denied in accordance with § 174.21(b), or § 151.16(g) of this chapter.

[T.D. 78-17, 43 FR 1938, Jan. 13, 1978, as amended by T.D. 85-90, 50 FR 21430, May 24, 1985; T.D. 99-65, 64 FR 43612, Aug. 11, 1999]

### § 174.32 Publication.

Within 90 calendar days after issuing a protest review decision, CBP will

publish the decision in the Customs Bulletin or otherwise make it available for public inspection. Disclosure is governed by 6 CFR part 5 and 19 CFR part 103.

[CBP Dec. 11-02, 76 FR 2578, Jan. 14, 2011]

## PART 175—PETITIONS BY DOMESTIC INTERESTED PARTIES

Sec.

175.0 Scope.

### Subpart A—Request for Classification, Appraised Value and Rate of Duty

175.1 Submission of request.

175.2 Contents of request.

175.3 Domestic interested party.

### Subpart B—Petitions

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### Subpart C—Procedure Following Petition

175.21 Notice of filing of petition, inspection of petition, and inspection of documents and papers.

175.22 Publication of decisions following petition.

175.23 Notice of desire to contest decision.

175.24 Publication following notice of desire to contest.

175.25 Procedure at port of entry designated by petitioner.

### Subpart D—Procedure Following Court Decision

175.31 Publication of notice of court decision.

AUTHORITY: R.S. 251, as amended, secs. 516, 624, 46 Stat. 735, as amended, 759; 19 U.S.C. 66, 1516, 1624, unless otherwise noted.

SOURCE: T.D. 70-181, 35 FR 13432, Aug. 22, 1970, unless otherwise noted.

### § 175.0 Scope.

This part sets forth the procedures applicable to requests by domestic interested parties for the classification and rate of duty applicable to designated imported merchandise, and to petitions alleging that the appraised value is too low, that the classification is not correct, or that the proper rate of duty is not being assessed upon designated imported merchandise which is claimed to be similar to the class or kind of merchandise manufactured,